IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO. 3:20-CV-389-FDW-DCK

KRISTIN NEESER,)
Plaintiff,)
v.	ORDER
MAC ACQUISITION LLC, SULLIVAN'S)
HOLDING LLC, d/b/a SULLIVAN'S STEAKHOUSE, and SULLIVAN'S OF)
NORTH CAROLINA, LLC,)
Defendants.)

THIS MATTER IS BEFORE THE COURT on "Sullivan's Of North Carolina, LLC's Amended Motion To Compel Arbitration And To Stay Matter" (Document No. 57) and "Defendants MAC Acquisition LLC's And Sullivan's Holding, LLC, D/B/A Sullivan's Steakhouse's Reasserted Motion To Compel Arbitration And To Stay Matter" (Document No. 58), both filed January 28, 2022. These motions have been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motions and the record, the undersigned will deny the motions as moot.

The Court notes that Defendants filed "Sullivan's Of North Carolina, LLC's Second Amended Motion To Compel Arbitration And To Either Dismiss, Or Alternatively, To Stay" (Document No. 63), which is an amended version of "Sullivan's Of North Carolina, LLC's Amended Motion To Compel Arbitration And to Stay Matter" (Document No. 57), and "Defendants MAC Acquisition LLC's And Sullivan's Holding, LLC, D/B/A Sullivan's Steakhouse's Amended Reasserted Motion To Compel Arbitration And To Either Dismiss, Or Alternatively, To Stay" (Document No. 64), which is an amended version of "Defendants MAC

Acquisition LLC's And Sullivan's Holding, LLC, D/B/A Sullivan's Steakhouse's Reasserted Motion To Compel Arbitration And To Stay Matter" (Document No. 58). By virtue of the filing of the amended motions, the original reasserted motions (Document Nos. 57 and 58) are now moot.

IT IS, THEREFORE, ORDERED that "Sullivan's Of North Carolina, LLC's Amended Motion To Compel Arbitration And To Stay Matter" (Document No. 57) is **DENIED as moot**.

IT IS FURTHER ORDERED that "Defendants MAC Acquisition LLC's And Sullivan's Holding, LLC D/B/A Sullivan's Steakhouse's Reasserted Motion To Compel Arbitration And To Stay Matter" (Document No. 58) is **DENIED as moot**.

SO ORDERED.

Signed: February 25, 2022

David C. Keesler
United States Magistre

United States Magistrate Judge